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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT A. CORRY,
Plaintiff,

Civ. No. 09-6322-TC

ORDER

v.

MARION COUNTY, et al.,
Defendants.

Aiken, Chief Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned action on August 26, 2010. Magistrate Judge Coffin recommends that the Marion County defendants' motion to dismiss be granted without prejudice, defendant Oregon State Board of Parole and Post-Prison Supervision's motion to dismiss be granted with prejudice, and plaintiff's motion for default be denied. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff filed objections to the Findings and Recommendation. Upon de novo review of Magistrate Coffin's Findings and Recommendation, I find no error.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 32) filed August 26, 2010 is ADOPTED in its entirety. Marion County defendants' Motion to Dismiss (doc. 26) is GRANTED without prejudice. Plaintiff is allowed sixty days from the date of this order in which to serve the Marion County defendants. If plaintiff does not effectuate service properly within sixty days, plaintiff's claims against the Marion County defendants will be dismissed.

The Board of Parole and Post-Supervision's Motion to Dismiss (doc. 29) is GRANTED with prejudice. Plaintiff's Motion for Default (doc. 25) is DENIED.

IT IS SO ORDERED.

Dated this 25 day of October, 2010.



Ann Aiken
Chief United States District Judge